Appl. No. 10/002,222
Amdt. dated January 10, 2005
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group

PATENT

REMARKS/ARGUMENTS

This Amendment is filed in response to the final office action dated December 9, 2004. Claims 1, 3, 5-9, 11, 12, 14, 16 and 18 are pending in this application after entry of this amendment. In the office action, claims 1-9, 11-16 and 18 were rejected under 35 U.S.C. §102(e) as being anticipated by Shteyn (U.S. Pat. 2002/0162109).

Section 102 Issues

Claims 1 and 11 have been amended to more clearly recite the claims. Claim 1 now recites, for example:

> "transmitting a request sent from a third computer to said first computer for said video file;
> intercepting said request for said video file sent by said third computer to said first computer;
> transmitting said video file from said caching computer to said third computer in response to said intercepted request."

Notably, the Shteyn reference does not teach all of these elements. For example, the Shteyn reference does not teach intercepting said request for said video file sent by said third computer to said first computer. Rather, Shteyn is directed at a system in which the third computer sends a request to Look-Up Service (150). The Look-Up Service then processes the request and decides from which computer the requested information should be sent from. This Look-Up Service, however, does not intercept a request being sent between two computers. It merely receives a request directed to the Look-Up Service. Receiving a request at the Look-Up Service that was directed to the Look-Up Service clearly is not an interception -- it is a reception. Thus, Shteyn does not teach interception of a signal at all. Furthermore, since the request in Shteyn is sent directly to the Look-Up Service, the Shteyn reference also does not teach that a third computer sends a request to a first computer, as required by claim 1. Thus, this aspect is not met by the Shteyn reference, as well. Consequently, claim 1 is not anticipated by the Shteyn reference. Claims 3, and 5-9 depend from claim 1. Therefore, they are allowable for the same reasons that claim 1 is allowable.

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Claim 11 has been amended to recite the feature of "intercepting a request for said video file sent by a third computer to said first computer." As noted above in regard to claim 1, the Shteyn reference does not teach this. Therefore, the Shteyn reference fails to anticipate claim 11. Claims 12, 14, and 16 depend from claim 11. Therefore, they are allowable for the same reasons that claim 1 is allowable.

Claim 18 recites the feature of "intercepting a request for said video file sent by a third computer to said first computer." As noted above in regard to claim 1, the Shteyn reference does not teach this feature. Therefore, the Shteyn reference fails to anticipate claim 18.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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